

Application Serial No. 10/666,883

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REMARKS

The Examiner rejected all pending claims. Claims 1, 8, 14, and 21 are amended to further clarify the inventive subject matter.

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The Examiner object to Claim 21 because a limitation has an extra 'a' and requested correction. Applicant has made the correction.

The Examiner rejected claims 1-26 under 35 U.S.C. 102(b) as being anticipated by Call. Applicant respectfully traverses this rejection. Claim 1 as amended recites "providing a...database ... that contains cross references from service provider resource identifiers to service provider resource information...comprising at least a universal resource locator (URL) and substantive descriptive information concerning the resource" and "[using] a fixed service provider resource identifier...having a one to one correspondence with an associated service provider resource....[to] access...said database using said extracted service provider resource identifier and retrieving associated service provider resource information comprising at least a universal resource locator (ORL) and substantive descriptive information concerning the resource from said database." In other words, the inventive subject matter as recited in Claim 1 retrieves metadata concerning the resource. This allows consistent access to a resource's metadata, including the resource's URL, through fixed identifiers, even where resources are moved or modified, as well as other pertinent information.

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Support can further be found in the Specification, as least in accepted title of the invention; in Fig. 2; on page 5, lines 38, through page 6, line 4; on page 6, lines 12-14; and on page 6, lines, 34-37, as follows, respectively, (emphasis
5 added):

The metadata can contain a description of the resource, the URL for the resource, and any other pertinent information that may be associated with the resource. When the resource requester sends a request to the ID number, the metadata for the particular resource is
10 returned to the resource requestor. The resource requestor uses the metadata as needed and accesses the resource using the URL in the metadata.

15 **Metadata 205** are composed of data concerning a resource. For example, a resource URL 203 tells the resource requestor the address where the resource is located, a **description of the resource 204** is included as well as other pertinent information 206.

20 The resource requestor 301 uses the resource information to, for example, display the resource description to a user. When the resource requestor 301 needs to access the resource, it uses the URL

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from the resource information to access the resource from the service provider 303.

The above described limitations are neither disclosed nor suggested by Call. Instead, Call describes returning not metadata, but only a URL or Internet address. See Fig. 2, [2:33-55], [4:30-42], [5:30-50] and [33:1-10].

In addition, Call teaches away from a metadata database, because it emphasizes keeping the database table information to a minimum, i.e. Identifier and IP address. See [2:26-52] as follows (emphasis added):

The present invention may be used to particular advantage to provide product information to web customers who visit web sites operated on behalf of retail stores which use universal product codes both for bar code checkout and to identify specific products in a computerized inventory control system. **The retailer's inventory control systems need not store detailed product information since, by means of the invention, the universal product codes of items being offered for sale can be used to access product information directly from the manufacturer's servers.**

In one embodiment of the invention, the cross-referencing function may be performed by a server which receives a hypertext transport protocol

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(HTTP) request message containing a universal product code, performs a lookup operation using a stored database of cross-references, and returns an HTTP response message which includes a location header field containing a destination URL specifying said particular Internet address. The requesting web browser then automatically redirects the request message to the destination URL.

The company code portion only of the universal product code may be stored in the cross-referencing database to refer a product information inquiry to the server operated by the manufacturer, with the remainder of the product code being sent to the manufacturer's server to identify the particular product. This reduces the size of the cross-referencing database, and further simplifies the process of registering manufacturers and maintaining the database.

Thus, the "URL and other cross referencing information" is not equivalent to the resource information comprising at least a universal resource locator (URL) and substantive descriptive information concerning the resource from said database as recited by Claim 1. Call's other cross referencing information in col. 33, lines 1-10 are all only URLs.

MPEP 2131 asserts as follows: TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM. In addition, it specifies that (emphasis added):

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"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).
5 >"When a claim covers several structures or compositions, either generically or as alternatives, the claim is deemed anticipated if any of the structures or compositions within the scope of the claim is known in the prior art." *Brown v. 3M*, 265 F.3d 1349, 1351, 60 USPQ2d 1375, 1376
10 (Fed. Cir. 2001) (claim to a system for setting a computer clock to an offset time to address the Year 2000 (Y2K) problem, applicable to records with year date data in "at least one of two-digit, three-digit, or four-digit" representations, was held anticipated by a system that offsets year dates in only two-digit formats). See also MPEP § 2131.02.< "The identical
15 invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an ipsissimis verbis test, i.e., identity of terminology is not required. In *re Bond*, 910 F.2d 831, 15
20 USPQ2d 1566 (Fed. Cir. 1990). Note that, in some circumstances, it is permissible to use multiple references in a 35 U.S.C. 102 rejection. See MPEP § 2131.01.

Applicant has shown that the Call reference does not describe, either
25 expressly or inherently, each and every element as set forth in Claim 1. Applicant has shown that the Call reference does not show the identical invention in as complete detail as is contained in the Claim 1. Applicant has shown that the Call reference does not disclose the elements arranged as required by Claim 1. Thus, Claim 1 is deemed to be allowable because it meets the conditions for
30 allowance set forth by the applicable Patent Laws, Patent Office Rules, and controlling Case Law.

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Claims 2-7 dependent from Claim 1 and are thus allowable for at least the same reasons as claim 1. Claims 8-26 are similar in scope to claims 1-7, and are thus allowable for at least the same reasons as claims 1-7.

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Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §102(b).

10 It should be appreciated that Applicant has elected to amend the Claims solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such amendment and cancellations, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled. Rather, Applicant reserves Applicant's right to
15 pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

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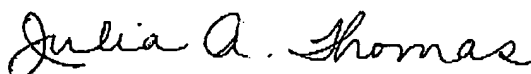
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CONCLUSION

Based on the foregoing, Applicant considers the present invention to be
5 distinguished from the art of record. Accordingly, Applicant earnestly solicits the
Examiner's withdrawal of the rejections raised in the above referenced Office
Action, such that a Notice of Allowance is forwarded to Applicant, and the
present application is therefore allowed to issue as a United States patent. The
Examiner is invited to call to discuss the response. The Commissioner is hereby
10 authorized to charge any additional fees due or credit any overpayment to
Deposit Account No. 07-1445.

Respectfully Submitted,

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